

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 673 of 2020**

- Rajni Sinha W/o Shri Bhuneshwar Sinha Aged About 34 Years R/o Village Amlidih, Police Station And Tahsil Pithoura, District Mahasamund, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Pithoura, District Mahasamund, Chhattisgarh.

---- Respondent**MCRC No. 576 of 2020**

- Rakesh Kumar Sinha S/o Shri Staram Sinha Aged About 32 Years R/o Village Sarkada, Police Station And Tahsil Pithoura, District Mahasamund, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Pithoura, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Awadh Tripathi, Adv. in both MCRCs.
For Respondent/State	:	Mr. Akhtar Hussain, PL.
For Objector	:	Mr. Gouri Shankar Patel, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12/03/2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved these first bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 11/2020 registered at Police Station Pithoura, District-Mahasamund (C.G.) against the applicant Rajni Sinha

for the offence punishable under Sections 420, 120-B, 467, 468 and 471 of IPC and against the applicant Rakesh Kumar Sinha for the offence punishable under Sections 420 and 120-B of the IPC.

3. The prosecution story, in brief is that, complainant Daleshwar Patel has made a written complaint on 23.10.2019 that the applicants have got disabled certificate from the Medical Board which is alleged to be forged document and on the basis of said disabled certificate issued on 14.07.2005 applicant Rakesh Kumar Sinha got employment and disabled certificate issued on 30.04.2005 applicant Rajni Sinha got employment on the post of Shiksha Karmi-III. Based on this prosecution agency registered the offence against the present applicants and arrested them.
4. Learned counsels for the applicants submit that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the complainant is in habit to extort money from the persons and earlier he has demanded some money from father of the applicants in connection with some complaint about Sarkada Society and put pressure upon him. He also submits that the said disability certificates have already been examined duly approved by Dr. O.P. Dubey on 05.12.2019. He next submits that the applicants are Government Servant and are in jail since 14.01.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail applications and submits that on which date the medical certificates had issued there had not any medical counsel constituted and the said certificates had forged and especially prepared for getting employment.
6. Learned counsel for the objector opposes the bail applications and submits that the applicants prepared forged medical certificates for Government employment and got the employment instead of other candidates. He further submits

that if they will be granted bail they will temper the evidence and will be threatened to the complainant.

7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the applicants are in jail since 14.01.2020, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the applications are allowed.
9. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**